

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NORTH DAKOTA

In re:	)	Case No. 23-30352
	)	(Chapter 11)
DRAIN SERVICES INC.	)	
	)	
Debtor.	)	
_____	)	

**NOTICE OF MOTION TO APPROVE COMPROMISE OF CLAIM  
AGAINST STATE OF SOUTH DAKOTA AND ITS EXECUTIVE OFFICER**

NOTICE IS HEREBY GIVEN that Drain Services Inc. (“Drain Services” or the “Debtor”) has filed a motion to approve a compromise of its claim against the State of South Dakota and Michael Houdyshell, the Secretary of the South Dakota Department of Revenue. The Debtor had brought suit seeking to declare unconstitutional South Dakota’s sales tax on Subchapter V trustee services and seeking an injunction against South Dakota and its Department of Revenue. South Dakota has agreed to no longer collect a sales tax on Subchapter V trustee services in North Dakota and has issued specific guidance, to the Subchapter V trustee handling the Drain Services case, on the matter. The Debtor accordingly contends the suit is now moot and should be dismissed as such.

NOTICE IS FURTHER GIVEN that written objections to the motion, if any, shall be filed with the Clerk of the United States Bankruptcy Court for the District of North Dakota, 655 1st Ave. N. Suite 210, Fargo, ND 58102-4932 within twenty one (21) days from the date of the mailing of this notice. Any objections not filed and served may be deemed waived.

*[Signature on Following Page]*

Respectfully submitted,

Dated: January 22, 2024

By: /s/ Maurice B. VerStandig  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of this notice is being served, via First Class Mail, postage prepaid, upon all parties on the attached mailing matrix, on January 23, 2024, though such service does *not* include a copy of the matrix, the underlying motion, or the exhibit to the underlying motion, all of which can be obtained via PACER or, upon request, from undersigned counsel.

/s/ Maurice B. VerStandig  
Maurice B. VerStandig